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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

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11 DARREN GILBERT,) No. 1:22-cv-00320-JLT-BAM
12 Plaintiff,)
13 vs.) **STIPULATION FOR CONTINUANCE OF**
14 XIPING ZHAO dba PACIFIC MARKET, et al.;) **MANDATORY SCHEDULING**
15 Defendants.) **CONFERENCE; [PROPOSED] ORDER**
16) Date: June 21, 2022
17) Time: 9:00 a.m.
18) Courtroom: 8
19) Magistrate Judge Barbara A. McAuliffe
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19 **WHEREAS**, a Mandatory Scheduling Conference is currently scheduled in this matter
20 for June 21, 2022 at 9:00 a.m. (Dkt. 3);

21 **WHEREAS**, Plaintiff Darren Gilbert (“Plaintiff”), and Defendants, Xiping Zhao dba
22 Pacific Market, Gui Shuang Zhu dba Pacific Market, and Chet Cummins (collectively
23 “Defendants,” and together with Plaintiff, “the Parties”), are engaging in good faith settlement
24 discussions;

25 **WHEREAS**, Plaintiff has duly noticed an inspection of the subject property which will
26 take place on June 22, 2022, and after receiving his Certified Access Specialist consultant’s
27 written findings from the inspection, will make a barrier removal proposal to Defendants for the
28 purpose of resolving his claims for injunctive relief;

STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
[PROPOSED] ORDER

1 **WHEREAS**, the Parties wish to conserve time and resources which would otherwise be
2 spent preparing for and attending the scheduling conference, and instead focus their resources
3 toward settlement;

4 **NOW, THEREFORE**, the Parties, by and through their respective counsel, stipulate to
5 a continuance of the Mandatory Scheduling Conference currently set for June 21, 2022 to a date
6 at the Court's convenience on or after August 22, 2022.

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8 Dated: June 14, 2022

MOORE LAW FIRM, P.C.

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10 */s/ Tanya E. Moore* _____

11 Tanya E. Moore
12 Attorney for Plaintiff,
13 Darren Gilbert

14 Dated: June 14, 2022

BORTON PETRINI, LLP

15 */s/ Sarah A. Ornelas* _____

16 Sarah A. Ornelas
17 Attorneys for Defendants,
18 Xiping Zhao dba Pacific Market, Gui
19 Shuang Zhu dba Pacific Market, and Chet
20 Cummins

21

22 ORDER

23 The parties having so stipulated and good cause appearing,

24 IT IS HEREBY ORDERED that the Mandatory Scheduling Conference currently set for
25 June 21, 2022 is continued to **August 30, 2022, at 9:30 AM in Courtroom 8 (BAM)** before
26 Magistrate Judge Barbara A. McAuliffe. The parties are to file their Joint Scheduling Report no
27 later than seven days prior to the Mandatory Scheduling Conference.

28 The parties shall appear at the conference remotely with each party connecting either via
Zoom video conference or Zoom telephone number. The parties will be provided with the
Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID
number and password are confidential and are not to be shared. Appropriate court attire

STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
[PROPOSED] ORDER

1 required. If the parties file a notice of settlement or other dispositional documents prior to the
2 conference, then the conference will be vacated.

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4 IT IS SO ORDERED.

5 Dated: June 15, 2022

6 /s/ *Barbara A. McAuliffe*
7 UNITED STATES MAGISTRATE JUDGE
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STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
[PROPOSED] ORDER